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8 Utah Land and Law, L.L.C., d/b/a Freedom Legal

9 UNITED STATES DISTRICT COURT  
10 FOR THE SOUTHERN DISTRICT OF CALIFORNIA  
11

12 **UTAH LAND AND LAW, L.L.C.,**  
13 **d/b/a FREEDOM LEGAL,**  
14 a Utah limited liability company,

15 Plaintiff,

16 v.

17 **FREEDOM LEGAL PLANS, LLC,**  
18 a Delaware limited liability company;  
19 **DEREK RADZIKOWSKI,**  
20 an individual;  
21 **REACHING U NETWORK, INC.,**  
22 a Florida corporation;  
23 **PERSONAL FINANCIAL SERVICES OF AMERICA, LLC,**  
24 a Florida limited liability company,

25 Defendant.

Case No. 11-cv-2005-JLS (WMC)

**Joint Motion For Extension of Time to Answer or Respond to Plaintiff's First Amended Complaint**

Judge: Hon. Janis L. Sammartino  
Courtroom: Courtroom 6 - Third Floor  
Complaint Filed: August 31, 2011  
Amended Complaint Filed: October 12, 2011  
Current Answer Date: October 31, 2011  
Proposed Answer Date: November 7, 2011

26 Plaintiff Utah Land and Law, L.L.C., d/b/a Freedom Legal ("Plaintiff"), and  
27 Defendants Freedom Legal Plans, LLC ("FLP"), and Derek Radzikowski ("Radzikowski," collectively with FLP, "Defendants"), by and through undersigned counsel, pur-

1 suant to CivLR 7.2 and 12.1, respectfully request an Order granting an extension of  
2 time, up to and including November 7, 2011, for Defendants to answer or otherwise re-  
3 spond to Plaintiff's First Amended Complaint ("Amended Complaint"), and in further-  
4 ance thereof, state and agree as follows:

5 1. Plaintiff filed its Original Complaint on August 31, 2011, alleging direct,  
6 indirect, and willful trademark infringement against Defendants.

7 2. On September 23, 2011, the parties filed a Joint Motion for Extension of  
8 Time to Answer or Respond to Complaint (Docket No. 7), which the Court granted, set-  
9 ting the Defendants' date to answer as Monday, October 24, 2011.

10 3. On October 12, 2011, Plaintiff filed its First Amended Complaint, naming  
11 not only Defendants FLP and Radzikowski, but also new defendants Reaching U Net-  
12 work, Inc. ("RUN") and Personal Financial Services of America, LLC ("PFSOA").

13 4. Defendants Radzikowski and FLP were served with copies of the  
14 Amended Complaint through their counsel. Based on the filing date of the Amended  
15 Complaint (and allowing for service by mail and weekends), the deadline for Defendants  
16 to file a response would be Monday, October 31, 2011.

17 5. Counsel for Defendants Radzikowski and FLP consented to the Amended  
18 Complaint, pursuant to Fed.R.Civ.P. 15(a)(2), and counsel for Plaintiff agreed to extend  
19 the deadline to Answer the Amended Complaint until November 7, 2011.

20 6. Plaintiff has yet to serve new defendants RUN and PFSOA with a copy of  
21 the Amended Complaint or Amended Summons.

22 7. "Good cause" exists to justify the proposed extension. A brief one-week  
23 extension will not prejudice the parties or significantly delay the proceedings. The ex-  
24 tension will allow defense counsel to assess the newly asserted facts. Moreover, the par-  
25 ties have commenced preliminary settlement discussions, and thus the extension will al-  
26 so allow the parties to explore an amicable resolution of this matter, potentially saving  
27 the resources of the Court and the parties.  
28

1           WHEREFORE, the Parties, through undersigned counsel, jointly move for an  
2 extension up to and including November 7, 2011, for Defendants FLP and Radzikowski  
3 to answer or otherwise respond to Plaintiff's First Amended Complaint.

4  
5   Respectfully submitted,

6       Dated: October 21, 2011

BUCHE & ASSOCIATES, P.C.

7   /s/ John K. Buche

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10  
11    Attorneys for Plaintiff

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13    dom Legal

14  
15    WALKERWALKER, PENDERGRASS &  
16    TIETSWORTH, LLP

17       **Dated:** October 21, 2011

18    /s/ Kent M. Walker

19    Kent M. Walker (Bar No. 173700)

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  San Diego, CA 92101

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21    Attorneys For Defendants

22    Freedom Legal Plans, LLC, and

23    Derek Radzikowski

**Certificate of Service**

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I, John K. Buche, declare:

I am over the age of 18 years and not a party to this action. My business address is 875 Prospect, Suite 304, La Jolla, California 92037, which is located in the county where the mailing described below occurred.

I served the following documents: **Joint Motion For Extension of Time to Answer or Respond to Plaintiff's First Amended Complaint**, along with copies of the referenced exhibits, on the person(s) below, as follows:

Oliver A. Ruiz  
Malloy & Malloy, P.A.  
2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129

Kent M. Walker  
Walker, Pendergrass & Tietsworth, LLP  
402 W. Broadway, Suite 400  
San Diego, CA 92101

*Attorneys for Defendants Freedom Legal Plans, LLC, and Derek Radzikowski*

The documents were served by the following means:

[ X ] **By United States mail.** On Friday, October 21, 2011, I enclosed the documents in a sealed envelope addressed to the persons listed above, and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on Friday, October 21, 2011, at La Jolla, California.

/s/ John K. Buche  
JOHN KARL BUCHE